

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

DONALD MASCIO,

Plaintiff,

v.

AARON PRIDDY.,

Defendant.

Case No. 3:08-CV-107-JPG

JUDGMENT

This matter having come before the Court, the issues having been heard, a jury having rendered a verdict as to some claims and the Court having rendered a decision as to others,

IT IS HEREBY ORDERED AND ADJUDGED that Plaintiff's due process claim in Count I against Defendant Henry is dismissed with prejudice.

IT IS FURTHER ORDERED AND ADJUDGED that Count 2, Plaintiff's claim Defendant Allen for refusing to provide adequate shelter in violation of the Eighth Amendment, is dismissed with prejudice;

IT IS FURTHER ORDERED AND ADJUDGED that Plaintiff's claim in Count 3, a claim against unspecified individuals for cruel and usual punishment in violation of the Eighth Amendment, is dismissed with prejudice;

IT IS FURTHER ORDERED AND ADJUDGED that Plaintiff's claim in Count 1, a claim against four unknown correctional officers for use of excessive force and failure to provide medical treatment in violation of the Eighth Amendment, is dismissed without prejudice;

IT IS FURTHER ORDERED AND ADJUDGED that judgment on Count 1, a claim against Aaron Priddy for use of excessive force and failure to provide medical treatment in violation of the Eighth Amendment, is entered in favor of defendant C/O Aaron Priddy and against plaintiff Donald Mascio;

DATED: October 27 , 2011

NANCY ROSENSTENGEL, CLERK

By:s/Deborah Agans, Deputy Clerk

Approved by:

s./ J. Phil Gilbert__

J. PHIL GILBERT

DISTRICT JUDGE